

ON December 11, 2014 AT 6:00 P.M. THE HURRICANE PLANNING COMMISSION MET IN THE CITY COUNCIL CHAMBERS LOCATED AT 147 N 870 WEST HURRICANE, UT

Members Present: Patti Lichfield, John Johnson, Ryan Cashin, Yovonda Hall, Bob Petersen, and Ralph Ballard

Members Excused: Larry Jaussi and Bill Wilkey

Staff Present: Planning Director Toni Foran, Planning Assistant Cindy Hyatt, City Council Representative Darin Larson, and City Attorney Fay Reber

The meeting was called to order by Chairman Cashin at 6:00 p.m. The Pledge of Allegiance was led by Ryan Cashin and Patti Lichfield offered the prayer. Roll call was taken.

Approval of agenda: Chairman Cashin stated the zone change will now only be for Building H not the undeveloped property and clubhouse area. Patti Lichfield motioned to approve the December 11, 2014 agenda with the changes. Ralph Ballard seconded the motion. Motion carried with all Commissioners voting aye.

Chairman Cashin opened the public hearing at 6:05 p.m. to take comments on the following item;

A zone change request for Coral Springs Condominiums Building H, remaining undeveloped property, and clubhouse area from PDO/Resort Residential to PDO/Commercial uses located at approximately 188 North 6680 West, Hurricane, Utah

No comments from the public

Chairman Cashin closed the public hearing at 6:06 p.m. and the public meeting began.

2014-ZC-07 Consideration and possible recommendation on a zone change request for Coral Springs Condominiums Building H from PDO/Resort Residential to PDO/Commercial uses located at approximately 188 North 6680 West, Hurricane, Utah – Coral Springs Resort LLC applicant

Gary Taylor, representative for Coral Springs Resort, stated they will be using the condominium for transient rentals for nightly accommodations much like a hotel or convention center. He explained some of the groups that come there as guests are required have a business license to conduct their wellness programs but the current zoning doesn't allow businesses because it is zoned residential only. He stated this zone change is required to allow businesses to be located within the condominiums. Yovonda Hall clarified this is zone change is for building H only and not the clubhouse or Phase 2. Mr. Taylor stated they will apply for a zone change for those locations at a future time. Chairman Cashin asked why the applicant decided to only apply for Building H. Mr. Taylor stated the land is undeveloped right now. They do intend to build resort hotel, including a convention center, spa and gift shop. He explained the owners thought they should do all of it at once but then they reconsidered because funding would be easier to attain with the current zoning.

Yovonda Hall motioned to recommend approval of application 2014-ZC-07 to the City Council to include the following findings; it is compatible with the goals and policies of the general plan by providing additional commercial uses in a largely residential area and provides an opportunity to develop more employment opportunities and it is in harmony with the existing development in the immediate vicinity. Patti Lichfield seconded the motion. The vote was as follows; Patti Lichfield-Aye, John Johnson-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, and Ralph Ballard-Aye. Motion carried.

2014-CP-01 Review and comments on a proposed subdivision Parkside Subdivision, located at approximately 3700 West and Parkview Drive – Stratton Brothers applicant

Carl Rasmussen and Mike Madsen were present to represent the applicant. Mr. Rasmussen stated he would like to start the discussion with the staff review first. He asked the Commissioners to look at statement #7, Lots 121 and 32 are large but it is difficult to tell if a building envelope is possible. He explained there is a large bluff on these lots that overlooks the pond and river. There is a lot of rock along the bluff so they would make rock walls to create building pads. He stated the drawings look like it drops off but it doesn't. They would be able to fill it in and create a good building pad. Chairman Cashin commented he went to look at the property and it didn't look like there was enough ground to build on those areas. Mr. Rasmussen stated work will have to be done but they will be able to make a buildable area.

Mr. Rasmussen asked Ms. Foran if she was ok with a chart of lot frontages and dimensions for statement #6 so it doesn't mess up the map. Ms. Foran stated that would be fine.

Mr. Rasmussen stated a study for storm drains was completed two months ago in conjunction with the City Engineer that should take care of statement #5 on the staff review. He explained they have lines in for the study and they are proposing to put the correct pipe size and the correct placement of them. Chairman Cashin asked where the drainage would go. Mr. Rasmussen stated according to the study, there are two detention areas proposed. The first area is by the North void area and the second one is by grandpa's pond and lots 29 & 30.

He commented on statement #1 he doesn't think a slope analysis would need to be done because some of the areas are outside of the subdivision and the cliff along lots 121 and 33 can be incorporated into the those lots. Mike Madsen stated they have also talked about deeding the cliff area back to the City for trails. Mr. Rasmussen stated the other places there are slopes greater than ten percent is from lot 6 to lot 68 in Phase 3 but the lots will be terraced so the slope won't be there anymore after it is developed. Mr. Rasmussen stated regarding trails, there is a ten foot sidewalk along 3700 West that was put in about eighteen years ago. The trail goes to Park View Drive and they are proposing to extend the trail to the north and tie it into the trail that goes to Grandpa's Pond. There would also be a trail going north along Park View drive to 600 North. Mr. Madsen stated they are open for discussion on the placement of the trails. Chairman Cashin asked if these two trails would tie into the current trail system. Ms. Foran stated she was unsure where the trail would go from the plans that were submitted. Mr. Madsen stated they want the trail so it just needs to be decided where the best place for it is but he feels that is the best place. Mr. Rasmussen pointed out it is already built on 3700 West. He explained as the trail is proposed it is like a T with the trail head being at Grandpa's Pond Park. Ms. Foran stated it needs to be specified on the preliminary plat. She stated the City Council will need to decide if the trail is concrete or asphalt.

Mr. Rasmussen asked Ms. Foran if statement 3 and 4 were talking about the same thing. Ms. Foran explained #4 is explaining 3700 West is not designated as a major collector road so the driveways on that road are not as big as a concern as the driveways on Park View Drive. Mr. Madsen stated Park View Drive was not made for a collector road; it was meant for a residential road. Ms. Foran stated it is on the master plan as a collector road. Mr. Madsen stated the specs on Park View Drive do not meet the requirements for a major collector road. He stated when they built the road it was never intended to be a collector road. He asked for clarification why it was now being considered a collector road. Ms. Foran explained she is referring to the Master Transportation Plan that was adopted in 2011. She stated she believes the plan before the last one showed Park View Drive as a major collector road as well; however, the old one showed the width at fifty eight feet and the requirement is now sixty feet. Mr. Madsen stated he is unsure of the disconnect because there are three lots in Park View Phase 3 that have driveways which front Park View Drive. Ms. Foran explained the final plat for Park View Phase 3 hasn't been approved yet and the preliminary plat

approval specifically stated the lots shall not front 600 North. Mr. Madsen stated if that is the case then the road should be built to the collector road specifications not how it is now. Mr. Rasmussen stated he would like to clarify why it shouldn't be a collector road. Ms. Foran explained the Planning Commission cannot approve the road to be something else so this discussion should go to the City Council. Yovonda Hall commented she thought it was an Engineering question. Ms. Foran stated she doesn't think the trail should go along Park View Drive if driveways are along the road because people won't walk the trail if driveways cut through it. Mr. Rasmussen pointed out the trail on 3700 West will go through existing driveways as well. Mr. Madsen stated standards need to be set for trails so builders know how to build them. Ms. Hall asked if the issue was the driveways along Park View Drive. Ralph Ballard stated he understands it also an issue with the trail. Mr. Madsen stated that is what his understanding was too and he would like to address that issue. Ms. Foran explained the Trails Committee adopted a Master Trail Plan to designate areas for trails. She stated a discussion needs to take place to implement the Master Trail Plan. Mr. Madsen stated if the ten foot sidewalk along 3700 West was not considered a trail then they wouldn't tie into it. He stated a trail along the ridgeline would be easier to build than along 3700 West. Placement and material was discussed. Darin Larson explained the thought is in the future it will be an asphalt trail system but it will have links into sidewalk areas. Mr. Madsen stated they will accommodate a trail and do what the City wants. Mr. Rasmussen stated he thinks if the trail is a dedicated trail people will use it regardless if the driveways cross it. Ms. Hall asked if roads and trails needed to be discussed on the City Council level. Mr. Ballard asked for clarification what staff comment #3 meant when it talked about shared driveways. Ms. Foran explained it is a wider driveway that goes over the lot line and then separates at the top to the separate garages in order to eliminate more driveways. Chairman Cashin stated he feels shared driveways are more dangerous. Mr. Madsen stated they need direction on what is required not opinion. He asked when the standards for sidewalk widths was changed. Ms. Foran stated in 2011 when the traffic study was adopted. Mr. Madsen stated it has not been changed on the website and that is what they have been going off of. He commented that if it has been changed it needs to be updated where it is published. He asked why the City changed the standard from four feet to five feet on sidewalk width. Chairman Cashin explained it was to make Hurricane a more walkable community. Mr. Madsen asked if the commercial road standards have changed. Ms. Foran excused herself to get the ordinance to answer Mr. Madsen question. Chairman Cashin asked if the lots on Park View Drive could be changed to face the other direction and create a road in front them. Mr. Madsen stated it would be very cost prohibitive to build more roads but they will do what they have to do. He stated they feel they are proposing this subdivision like any other subdivision that has been built in Hurricane and if Park View Drive is considered a major collector road then they should get some sort of payment on the road because they built it.

Chairman asked what would happen with the pit area. Mr. Madsen stated they are in the flood plain. He explained in the Grandpa's Pond agreement they agreed to pay a share of moving the sewer lines into the Park but something different would have to be done to accommodate the homes. Chairman Cashin stated it could change the function of the road if it was moved. Mr. Madsen stated their design handles all along the bluff to 600 North.

Ms. Foran read the definition of collector roads. Mr. Madsen stated the road would have to be redone if it is a collector road because there isn't enough area that was originally recorded. It was clarified the curb and gutter is not completed along Park View Drive except along the Park View Subdivision. Ms. Hall asked what 3400 and 3700 West are designated as. Ms. Foran stated 3700 West is a major collector. Mr. Madsen pointed out 3700 West is not wide enough to be a major collector and it is landlocked so the width can't be increased; however, 3400 West is a minor arterial. Ms. Hall stated she doesn't see an issue of Park View Drive not being a collector road

because it is a short section and it doesn't get much volume. Commissioners discussed placement of the trail.

Mr. Madsen stated there are five phases in Park Side but they will start with construction drawings in Phase 1. He asked if the lines change will he have to come back to get it reapproved. Ms. Foran stated the way she understands it is if a preliminary plat is approved and at least one final plat is approved within a year, then they still have the preliminary approval but final plat would have to be approved for each phase. She stated construction drawings are only approved for twenty four months. Ms. Hall asked if Park View Drive was already a dedicated road so it wouldn't be considered a major collector. Ms. Foran stated that is why she referred Commissioners to minutes from when the preliminary plat for Park View Subdivision was approved because one of the conditions of the approval was no driveways were to come off of Park View Drive.

Ms. Foran pointed out there could be a distance issue for the Fire Department because of the distance from 3700 West and the end of the cul de sac not having another emergency exit. She stated the sewer and drainage issues need to be figured out before preliminary plat can be considered. Chairman Cashin asked if a gravel road would suffice for the fire exit from the cul de sac. Ms. Foran stated that is a Fire Department decision. Mr. Rasmussen asked if they could talk to the City Council next week regarding the roads and trails. They will be placed on the Council agenda so they can move forward. City Attorney Fay Reber asked what the time table is for getting final approval. Mr. Madsen stated they are doing a Parade of Homes house in Park View and they wanted to advertise for Park Side subdivision when the house is being shown in the Parade of Homes. Mr. Reber stated the Grandpa's Pond sewer agreement also needs to be approved and signed before the preliminary can be approved. Mr. Madsen stated if it comes to that they will make an agreement with Ash Creek Sewer District. Ms. Foran stated Ash Creek Superintendent Darwin Hall's concern is the original plan was the sewer was coming up the road but with the changes he was concerned if it would still work. **Approval of minutes, November 13, 2014.** Ralph Ballard stated on page 4 Line 19 his statement needs to be changed to gate instead of fence. Yovonda Hall stated on page 4 line 44 rip wrap needs to be changed to riprap. Bob Petersen motioned to approve the November 13, 2014 with the corrections. John Johnson seconded the motion. The vote was as follows; Patti Lichfield-Aye, John Johnson-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, and Ralph Ballard-Aye. Motion carried.

1. November 24, 2014. Ralph Ballard asked if the council discussed the crosswalk on 600 North. Darin Larson stated yes. Toni stated the way she understood it is the ten foot path will be on the north side but the sidewalk will be on the south side so the kids still have a safe route to get to school, therefore, the crosswalk can stay on 200 West. Darin Larson stated the council did agree if the path was taken out on the south side then it needs to be put in on the north side because of the use and popularity of the trail. Ms. Foran stated design for 600 North shows curb and gutter on south side and trail on north side. Yovonda Hall pointed out the trail goes along with the turtle reserve. Ms. Foran stated there aren't any driveways after the City yards on the north side. Mr. Larson stated it needs to be discussed and planned before development starts. Ralph Ballard motioned to approve November 24, 2014 minutes as written. John Johnson seconded the motion. The vote was as follows; Patti Lichfield-Aye, John Johnson-Aye, Ryan Cashin-Aye, Yovonda Hall-Aye, Bob Petersen-Aye, and Ralph Ballard-Aye. Motion carried.

2. Planning Commission business:

A. Discussion and review of possible ordinance changes regarding regulating vacation rentals in certain residential zones. Toni handed out a map of the downtown area illustrating properties

that could be used as vacation rentals under current zoning. She stated there are currently two rentals that are licensed for vacation rentals in that area. Toni stated the budget does have money for a consultant to come in to help design the downtown area. Ralph stated people don't want to stay in "mini motels" downtown. They want a vacation rental that is in neighborhoods so they feel more at home. He commented that people have different use for hotel stay versus home stay. Toni commented some people choose vacation rental options to have their own kitchen. Yovonda stated the City is losing on taxes if they don't allow rentals because it doesn't bring in people. Toni referred to the Cottonwood Heights ordinance definitions and zones for vacation rentals. She asked the Commission for a decision what zones would allow vacation rentals and if a percentage of total units allowed is desired. Ryan stated as he read through the different cities ordinances, he just came up with more questions. Yovonda asked if it could be allowed through conditional use. Toni stated she would rather not have that a requirement because conditional use permits stay with the land. She discussed the possibility of creating a vacation rental permit so it stayed with the owner and the property. That way if a cap was put on how many were allowed and someone sold their home the new buyer would have to apply for a permit. She stated the requirements for a conditional use permit aren't the same requirements that a vacation rental would need. Ryan stated the market should regulate how many are open and not put a set limit on how many is allowed. Ralph stated he would like to look at the benefits and the drawbacks. He sees a lot of benefit from allowing vacation rentals. He commented that it gives visitors an opportunity to see how they like the Hurricane community. He thinks people are afraid of parking issues and noise in their neighborhoods. Toni discussed some of the issues that have been already brought up but if they are regulated some of the issues could be fixed. Yovonda asked if it could be regulated through a home business license. Toni stated current definition states the business owner must live in the home so that wouldn't work because most of these owners don't live in the area. Toni asked if the Commissioners wanted to allow the whole houses and or just the casita/bedroom as a rental. She stated the whole house would be easier for setting standards. Ryan stated he thinks it should be entire house rentals. Darin stated he liked one of the ordinances that states property owners can only have one unit as a transient rental. So people can't come in and buy multiple houses to use as vacation rentals. Patti asked is the purpose of regulating at all. Toni stated safety, health and welfare of the community as a whole. Darin stated a standard needs to be set for people to follow but not necessarily a lot of regulations. Ralph stated instead of a lot of regulations, he feels something should be put in place that if there is a problem the city has a way to enforce the regulations that are in place. Toni stated she liked Cottonwood Heights ordinance where they required a number for neighbors to call if there is a complaint instead of calling the city. Darin stated these properties will self-regulate. Ryan stated some CCR's will not allow them in their subdivision. Toni stated she didn't feel like Cottonwood Heights over regulated but it gives set standards to follow. Commissioners decided not to set a limit on how many are allowed, to require an emergency number be listed, and if a number of legitimate complaints are received then license will be revoked. Ralph stated if it is allowed then a fine can be issued if they don't have a license. Fay stated an ordinance could be drafted to create a "fine" for those that don't comply. Toni will work on a draft ordinance for next meeting in January.

- B. Set meeting schedule for 2015.** Toni stated there are five Thursdays in January and New Year's is on the first Thursday so City Council got bumped to the next Thursday which means the first Planning Commission meeting will be on January 15th. She stated the rest of the year will stay the same schedule. Planning Commission will meet on the 2nd Thursday and 4th Wednesday of each month. Toni stated she will email schedule to the Commissioners.

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Commissioners discussed the different vacation rental ordinances in Washington County and ways to regulate rentals if they are allowed.

Adjournment at 8:00 p.m.